

CONSTITUTION WORKING PARTY – 4 DECEMBER 2017

COUNCIL – 12 DECEMBER 2017

PART I - NOT DELEGATED

4. REVIEW OF SERVICE COMMITTEES AND LEAD MEMBER ROLES AND RULE 17 (BUDGET SETTING) (CED)

1. Summary

1.1 To review the Council's Governance arrangements and Council Constitution.

2. Details

2.1 The Council Constitution reflects the Committee governance arrangements which have been in place since June 2014 and which were reviewed and amended most recently in May 2017.

2.2 The following items are matters which have been suggested for review at this time by either Members or Officers.

2.3 ***Revised Service Committees, Remits and Lead Members***

Officers are recommending Members consider the following amendments to the Lead Member (LM) roles and Committees from May 2018 Annual Council:

- Reduce the number of Service Committees from 3 to 2 to meet 6 times a year rather than the 3 existing Service Committees meeting 4 times a year.
- The 2 proposed Service Committees are:
 - Infrastructure and Prosperity Committee; and
 - Health and Welfare Committee
- The proposed remits for the 2 new Service Committees are set out in Appendix A.
- The proposal is for there to be the same number of Lead Members as the Council currently has (7 including the LM for Resources and Shared Services) with 3 Lead Members for each Service Committee, who would also Chair their relevant part of the Committee, namely:
 - ***For the Infrastructure and Prosperity Committee:***
 - Lead Member for Prosperity
 - Lead Member for Infrastructure and Planning Policy
 - Lead Member for Housing
 - ***For the Health and Welfare Committee***
 - Lead Member for Leisure
 - Lead Member for Welfare
 - Lead Member for Health and Partnerships
 - That ***Policy and Resources Committee*** continue to meet 7 times a year with a slight change to the Committees remit and that of the Lead Member for Resources and Shared Services, namely:
 - Communication to move to the proposed new LM for Health and Partnerships
 - Right to Build Register to move to the proposed LM for Housing
 - Community Infrastructure Levy to move to the LM for Infrastructure and Planning Policy

3. Rule 17 – Procedure Rule for Budget Setting

3.1 The Director of Finance (and Section 151 Officer) is asking Members to agree an amendment to Rule 17 the Procedure Rule for Budget Setting as set out in Appendix B. This amendment to be in place for the Budget Setting Council meeting in February 2018.

4. **Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Customer Services Centre, Communications, Risk Management and Health & Safety Implications**

4.1 None specific.

5. **Website Implications**

5.1 The website and Council Constitution will need updating to reflect any changes agreed by Council.

6. **Policy/Budget Reference and Implications**

6.1 All the decisions in this report have to be made by Full Council.

7. **Recommendation**

7.1 That Council approve the proposed amendments as detailed in Appendix A and B of this report.

Report prepared by: Sarah Haythorpe, Principal Committee Manager;
Anne Morgan, Solicitor to the Council.

Data Quality

Data sources:
Decisions of Council
Information Supplied by Council officers
Council Constitution

Data checked by: Steven Halls, Chief Executive

Data rating:

1	Poor	
2	Sufficient	
3	High	ü

Background Papers - None.

APPENDICES

Appendix A – Service Committee remits and Lead Member roles
Appendix B – Amendments to Rule 17 (Budget setting procedure)

Part 2

Articles of the Constitution

Article 6 – Policy and Resources Committee (revised)

6.01 Introduction

The Policy Development and Review functions are undertaken by the Policy and Resources Committee.

6.02 Terms of Reference

Policy and Resources Committee

- (i) To set and co-ordinate all policy for itself and the service and other committees which have been delegated by Council:-
- (ii) To review and scrutinise the policies made or proposed to be made by the Council and to recommend appropriately to the Council:
 - (a) whether any new policies are required;
 - (b) whether any existing policies are no longer required;
 - (c) whether any changes are required to any existing policies;
 - (d) whether any action is required to make the policies more effective.
- (iii) To consider any matters which affect the Council's administrative area or the inhabitants of that area and to make recommendations or reports to the Council.
- (iv) To allocate resources to the other Committees to enable the Council functions to take place.
- (v) To be responsible for the following areas of concern and to review performance against the previous year's plans of the services within its remit:
 - Audit and Fraud including Audit Recommendations
 - Commercial Estate management
 - Committee/Member support
 - Customer Services Centre
 - Electoral registration and elections
 - Land and Property (PFM) and Office Services
 - Legal
 - Policy/Corporate support
 - Purchasing/procurement
 - Rent Account
 - Services provided jointly with other Local Authorities:
 - (Accountancy, Treasury, Income and Payments

- Benefits – Housing Benefit, Council Tax Benefit, discretionary NNDR relief
- Collection of Council Tax, National Non-Domestic Rate
- To undertake an annual review of the Council Tax Support Scheme and make recommendations to Council
- Information and Communications Technology
- Human Resources and Training)
- Themes / Strands allocated from the Council's Strategic Plan
- Resources and Finance including the development of Budget recommendations to Council
- Asset Management
- Major Projects
- Local Plan
- to authorise the purchase of property for investment.

Service Committees	Services Included
Infrastructure, Housing and Economic Development Committee	<p><i>Themes / Strands allocated from the Council's Strategic Plan Reporting on allocated service plans</i></p> <p>Lead Member for Economic Development <i>Beat The Killer Cold? Economic Development Rivertech Sustainability – promoting energy efficiency and 'green' matters Supporting better buses, public transport and cycling Transport Car Parking (provision, fines, permits, parking machines and contract with Hertsmere Council), Highways</i></p> <p>Lead Member for Infrastructure and Planning Policy <i>Infrastructure Schemes Development Management Heritage Listed buildings Land Charges Land Drainage Conservation areas, neighbourhood forums, local listing Tree Protection Community Infrastructure Levy Local Plan Building Control</i></p> <p>Lead Member for Housing <i>Residential Environmental Health Council House Allocations and Lettings (transfers and Choice Based Lettings bids Homelessness and Housing Advice Housing grants for improvement and adaptation Private Housing condition and Houses in Multiple Occupation (including stock condition surveys) To purchase any property for use as temporary accommodation. Travellers (incursions and management of traveller sites) Right to Build Register</i></p>

<p>Leisure, Environment and Community Committee</p>	<p>Themes / Strands allocated from the Council’s Strategic Plan Reporting on allocated service plans</p> <p>Lead Member for Leisure Arts development Outdoor (woodlands, tree management, open spaces/grounds maintenance, play areas) Leisure Grants Play Development, Schemes and Rangers Sport (pools, gyms, pitches, golf courses) and sports development Leisure Contract Services for Young and Old People Indoor (community centres, theatre)</p> <p>Lead Member for Environmental Services Cemeteries/Crematorium Air Pollution Refuse collection and recycling Street Cleaning and litter bin emptying Noise Pollution Animal and Pest control</p> <p>Lead Member for Community Safety and Partnerships Public Health Strategy Health and social care provision and access Grant aid, including the voluntary sector and meals on wheels Community Grants Communications Food Inspection and disease control Health and Safety (for Health and Safety Executive and Council staff/contractors) Licensing activities covered by the Licensing Acts Licensing and Regulatory activities outside the Licensing Acts Requests for implementation of Public Spaces Protection Orders under the Anti-Social Behaviour, Crime and Policing Act 2014 Services provided jointly with other Local Authorities: Development of Commercial Partnerships Community Toilets Scheme Community Safety, including the following functions:–</p> <ul style="list-style-type: none"> · To review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions (it is the Crime and Disorder Committee for the purposes of the Police and Justices Act 2006); · To make reports or recommendations to the Council with respect to the discharge of those functions; · The Committee will be able to co-opt members from the Responsible Authorities (the Community Safety Partnership) should it wish to when reviewing certain projects/decisions.
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Revised Remit for the Lead Member for Resources and Shared Services

	<p>Lead Member Resources and Shared Services Audit and Fraud including Audit Recommendations Commercial Estate management Committee/Member support Customer Services Centre Electoral registration and elections Land and Property (PFM) and Office Services Legal Policy/Corporate support Purchasing/procurement Rent Account Accountancy, Treasury, Income and Payments Benefits – Housing Benefit, Council Tax Benefit, discretionary NNDR relief Collection of Council Tax, National Non-Domestic Rate To undertake an annual review of the Council Tax Support Scheme and make recommendations to Council Information and Communications Technology Human Resources and Training Themes / Strands allocated from the Council's Strategic Plan Resources and Finance including the development of Budget recommendations to Council Asset Management Major Projects To authorise the purchase of property for investment.</p>
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Part 4

Rules of Procedure

THREE RIVERS DISTRICT COUNCIL

PROCEDURE RULES THE PROCEEDINGS AND BUSINESS OF THE COUNCIL

RULE 17

PROCEDURE RULES FOR BUDGET SETTING

- (1) The budget shall be proposed by a member of the Administration who will be allowed a maximum of ten minutes to present the budget.

(Printed copies of the budget proposal and of any related visual presentation must be circulated to all Councillors ~~present 5 working days before the meeting when the mover rises to speak.~~ The ~~proposal~~~~se copies~~ must be accompanied by a statement from the Council's Chief Financial Officer as to the robustness of any estimates used and the adequacy of the financial reserves resulting from the budget proposal, in accordance with Section 25 of the Local Government Act 2003. The proposals must also be agreed by the Chief Executive or relevant Director to ensure that they are deliverable and that any associated risks are identified. Copies of all budget proposals must have been supplied to the Chief Financial Officer ~~by noon the previous day~~ 10 working days prior to the meeting.)

- (2) The Leaders of other parties (or nominated Member) or any individual Member may each propose an alternative budget and will be allowed a maximum of ten minutes to present their budget. These proposals will be circulated to all Councillors 5 working days prior to the meeting and must be accompanied by a statement from the Council's Chief Financial Officer as to the robustness of any estimates used and the adequacy of the financial reserves resulting from the budget proposal, in accordance with Section 25 of the Local Government Act 2003. The proposals must also be agreed by the Chief Executive or relevant Director to ensure that they are deliverable and that any associated risks are identified. Copies of all budget proposals must have been supplied to the Chief Financial Officer 10 working days prior to the meeting.

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- (3) Each budget will be seconded and the seconder may reserve the right to speak later in the debate for up to five minutes.

- (4) After all budgets have been proposed, there will be one debate covering all the propositions,
- (5) All other Members may have the opportunity to comment/ask questions but they may only speak once during the debate and for no longer than five minutes, apart from points of order.
- (6) The proposer of each budget may sum up/answer questions for no more than ten minutes each, in the reverse order of being proposed.
- (7) A vote will be taken in reverse order of being proposed until a majority of Members present vote in favour of one budget.”
- (8) In accordance with regulations, voting on resolutions setting the budget and Council Tax shall be by means of recorded vote.